ATTORNEY DOCKET NO. 131279.1050 INFORMATION DISCLOSURE STATEMENT CUSTOMER NO. 60148 SERIAL NO. 10/551,873

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Certificate of Mailing under 37 CFR §1.8 Date of Deposit: July 13 , 2009

I, Jan Jones, hereby certify that this paper (along with any papers and fees referred to as being attached or enclosed or actually enclosed) is being deposited with the United States Postal Service as First Class Mail, with sufficient postage, on the date indicated above, addressed to:

> Mail Stop Amendment COMMISSIONER FOR PATENTS P.O. BOX 1450

Alexandfia, VA 22313-1450

Signature of Person Certifying

In re Application of:

Joseph Emmanual Zarb et al.

Application No.:

. 10/551,873

Filing or 371(c) Date:

9/30/2005

Confirmation No.:

2018

Group Art Unit:

1794

Examiner:

Robinson, Lauren E.

For:

Durable High Performance Fibre Cement Product and Method of Manufacture

Mail Stop: Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §1.97(c)(2), Applicants submit the art listed on the attached Forms PTO/SB/08A and PTO/SB08B.

Applicants submit this Information Disclosure Statement in compliance with 37 C.F.R. \$1.97(c)(2), as Applicants are filing this Information Disclosure Statement before the mailing date of any of a final action under \$1.113, a notice of allowance under \$1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by the fee set forth in \$1.17(p).

Applicants respectfully request, pursuant to 37 C.F.R. \$\$1.56, 1.97 and 1.98, that the art listed on the attached PTO/SB/08A and PTO/SB/08B forms be considered and cited in the examination of the above-identified application. Pursuant to 37 C.F.R. § 1.98, a copy of this referenced art is enclosed for the convenience of the Examiner, other than any U.S. patents and U.S. patent application publications. Furthermore, pursuant to 37 C.F.R. §\$1.97(g) and (h), no representation is made that this art is material to patentability of the present application or that a search has been made.

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner, and shall not be construed as a representation that Applicants or Applicants' attorneys have personal knowledge of the contents of the listed art or any events surrounding the listed art.

The Examiner is requested to initial the attached forms

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PTO/SB/08A and PTO/SB/08B, as indicated. It is respectfully requested that the Examiner then return to the undersigned a copy of the initialed and completed Forms PTO/SB/08A and PTO/SB/08B that indicates the enclosed referenced art has been considered in its entirety.

As to the filing of this Information Disclosure Statement, Applicants submit the fee set forth in \$1.17(p) in the amount of \$180.00 by attaching a Credit Card Payment Form. No additional fees are believed to be due. To the extent that any further fees, whatsoever, are required at any time during prosecution of this application, including petition and extension fees, the Commissioner is hereby authorized to charge payment of any additional fees, including any under 37 C.F.R. § 1.16 or 37 C.F.R. § 1.17, to Deposit Account 07-0153 and reference Attorney Docket No. 131279.1050. Please credit any overpayments to this same Deposit Account.

ATTORNEY DOCKET NO. 131279.1050 INFORMATION DISCLOSURE STATEMENT CUSTOMER NO. 60148 4 SERIAL NO. 10/551,873

Please direct all correspondence to the practitioner listed below at <u>Customer No. 60148</u>.

Respectfully submitted,

Robert J. Ward

Registration No. 38,652

GARDERE WYNNE SEWELL LLP Thanksgiving Tower, Suite 3000 1601 Elm Street Dallas, Texas 75201

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ATTORNEY FOR APPLICANTS July _________, 2009

ATTORNEY DOCKET NO.131279.1050 CUSTOMER NO. 60148

TRANSMITTAL LETTER SERIAL NO. 10/551,873

JUL 16 2009

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Durable High Performance Fibre Cement Product and Method of

Manufacture

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR FILING INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Enclosed please find the following:

 Postcard acknowledgment of receipt of papers by the Patent Office (one return postcard in each of the four boxes of cited references);

- This Transmittal Letter (3 pgs) (a copy in each of the four boxes of cited references);
- Information Disclosure Statement (4 pgs) (a copy in each of the four boxes of cited references);
- PTO/SB/8A and PTO/SB8B forms (71 pgs) (a copy in each of the four boxes of cited references), together with a copy of the referenced art, other than any U.S. patents and U.S. patent application publications (4 boxes); and
- Credit Card Payment Form (PTO-2038) (only in Box 1 of 4).

Please stamp and return each enclosed postcard.

As stated in the Information Disclosure Statement, Applicants are submitting the fee set forth in §1.17(p) in the amount of \$180.00 by attaching a Credit Card Payment Form. No additional fees are believed to be due at this time. To the extent that any further fees, whatsoever, are required at any time during prosecution of this application, including petition and extension fees, the Commissioner is hereby authorized to charge payment of any additional fees, including any under 37 C.F.R. § 1.16 or 37 C.F.R. § 1.17, to Deposit Account No. 07-0153 and reference Attorney Docket No. 131279.1050. Please credit any overpayments to this same Deposit Account.

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Respectfully submitted,

Robert J. Ward

Registration No. 38,652

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